

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

EDITH VOGEL)
)
)
Plaintiff,)
)
)
v.) Case No. 2:22-cv-04051
)
)
CARRIE TERGIN, in her official)
Capacity as Mayor of the City of)
Jefferson, and the CITY OF JEFFERSON,)
MISSOURI,)
)
)
Defendants.)

DEFENDANTS' MOTION FOR EXTENSION OF TIME

COME NOW Defendants City of Jefferson, Missouri and Carrie Tergin (collectively “Defendants”), by and through counsel, and moves the Court to extend its deadline for Defendants to file a response to Plaintiff’s Motion for a Temporary Restraining Order pursuant to Local Rule 16.3. In support thereof, Defendants state as follows:

1. On March 31, 2022, Plaintiff filed a Motion for Temporary Restraining (“TRO”) Order against Defendants. See ECF Doc. No. 3.
2. The Motion was filed contemporaneously with Plaintiff’s Complaint requesting a preliminary injunction against Defendants based on the same reasons described in the TRO. See ECF Doc. No. 1.
3. Subsequently, Defendant’s deadline to respond to the TRO was scheduled for April 14, 2022. See ECF Doc. No. 3.
4. Prior to the assignment of undersigned counsel on this case, Defendants and Plaintiff began to initiate settlement negotiations that would affect the outcome of the TRO and the Complaint.

5. Upon being informed of the negotiations and the scheduling order, undersigned counsel reached out to Plaintiff's counsel regarding the due date for Defendants' responsive motion considering the settlement negotiations.
6. In light of the negotiations, Plaintiff's Counsel consented to our request for an extension to Friday, April 22nd to respond to their TRO. See attached, Exhibit A.
7. Therefore, Defendants respectfully request an extension to Friday, April 22, 2022.
8. This motion is made in good faith and not to vex the opposing counsel.

WHEREFORE, Defendants City of Jefferson, Missouri and Carrie Tergin respectfully pray for this Court to grant an extension to Friday, April 22, 2022 to respond to Plaintiff's Motion for a Temporary Restraining Order; and for such other and further relief as the Court deems just, proper and equitable.

/s/ Ashley N. Garrett

Brian T. Goldstein MO Bar #50191
Ashley N. Garrett MO Bar # 63251
Cummings, McClorey, Davis, Acho & Associates, P.C.
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agarrett@cmda-law.com
ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above was electronically filed with the Court, causing a copy to be e-mailed to the following this 14th day of April, 2022:

/s/ Ashley N. Garrett

Ashley N. Garrett

Heather Fauss

EXHIBIT

A

From: Cole D. Bradbury <cole.d.brADBURY@gmail.com>
Sent: Thursday, April 14, 2022 3:16 PM
To: Ashley Garrett
Cc: Heather Fauss; Brian T. Goldstein
Subject: Re: Vogel Motion to Extend
Attachments: image001.jpg

Correct. No objection to extending it to next Friday, the 22nd.

Cole D. Bradbury
(573) 745-0772
Cole.D.Bradbury@gmail.com

On Thu, Apr 14, 2022, 3:11 PM Ashley Garrett <agarrett@cmda-law.com> wrote:

Hi Cole,

I'm writing to confirm our conversation yesterday that you consent to our request to extend the due date for our response to your TRO Motion?

Thanks,

Ashley

Cummings, McClorey, Davis, Acho & Associates, P.C.

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